

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

\_\_\_\_\_  
**NANCE M. HUTTER,**

**X**

**09-CV-10092(NSR) (WDW)**

**Plaintiff,**

**NOTICE  
OF MOTION**

**-against-**

COUNTRYWIDE BANK, N.A., a subsidiary of  
COUNTRYWIDE FINANCIAL CORPORATION,  
WATERMARK CAPITAL INC. and  
EVOLUTION MORTGAGE INC.

**Defendant(s)**

\_\_\_\_\_  
**X**

PLEASE TAKE NOTICE that upon the declaration of John T. Serio, the  
Statement pursuant to Local Rule 56.1 , and the exhibits thereto, the accompanying  
memorandum of law; and upon all prior pleadings and proceedings had herein, the  
undersigned attorney for the defendant Watermark Capital Inc., (Watermark) will move  
this court , at the United States Courthouse , 300 Quarropos Street, White Plains, New  
York, for an Order granting Watermark summary judgment pursuant to Fed. R. Civ. P.  
56 dismissing plaintiff Nance M. Hutter's third amended complaint with prejudice to  
Watermark and dismissing the cross-claims of defendant's Evolution Mortgage Inc. and

Countrywide Bank, N.A. and granting such other and further relief as to this Court may deem just and proper.

Take Further Notice that answering papers, if any, shall be served by March 16, 2015 and reply papers, if any, will be due by April 1, 2015. All such papers to be served by e-mail and first class mail.

Dated: Mineola, New York  
February 13, 2015

Respectfully submitted,



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